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## PATENT APPLICATION

ATTORNEY DOCKET NO. 10002969-1

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Roushall

Serial No.: 09/625,916

Examiner: El-Shammaa, Mary A.

Filing Date: 07-26-2000

Group Art Unit: 2883

Title: MULTIPATH DATA ACQUISITION SYSTEM AND METHOD

COMMISSIONER FOR PATENTS  
PO Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER**  
**RESPONSIVE TO A DOUBLE PATENTING REJECTION**

Sir:

Petitioner, Agilent Technologies Inc., is the owner of 100 percent interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer of prior Patent No. 6,647,347 to Agilent Technologies Inc., which issued on 11-11-2003 and is commonly owned by Applicant. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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(continued)ATTORNEY DOCKET NO. 10002969-1

Please charge the required fee set forth in 37 CFR 1.29(d) of \$110.00 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25.

(Note: An attorney or agent of record must sign this document.)

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(X) Date of Facsimile: **10/26/2004**

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Typed Name: **Martha Cisneros**

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Respectfully submitted,

Roush/ail

By 

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